

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

JAMES D. GIBSON,

Plaintiff,

v.

CAIRO SCHOOL DISTRICT NO. ONE,  
*et al.*,

Defendants.

Case No. 08-cv-171-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on Defendants' Stipulation (Doc. 48) of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) signed by all parties who have appeared in this case.<sup>1</sup> Rule 41(a)(1)(A)(ii) allows for dismissal without a court order by filing such a stipulation. Accordingly, the Court **DISMISSES** this case **without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly. Further, the Court **DENIES as moot** all pending motions in this matter. (Docs. 38, 39, 43).

**IT IS SO ORDERED.**

**DATED: January 21, 2010**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**

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<sup>1</sup>While Plaintiff signed a separate document, labeled "Plaintiff [sic] Response to - Plaintiff's and Defendants' Joint Stipulation to Dismiss the Complaint under Rule 41(a)(1)(A)(ii)," (See Doc. 48-1, Doc. 50), the Court **CONSTRUES** said document as part of the submitted stipulation.